

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MULTALER & CIE. S.A.

Opposer,

v.

INKA DOERRIG

Applicant.

Opposition No. 118,788

Application Serial
No. 75/734,179

Published in the Trademark
Official Gazette on
December 28, 1999

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APPEAL BOARD
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MOTION FOR SUSPENSION OF THE PROCEEDINGS

Opposer in the above-identified Opposition, by and through its attorneys, hereby respectfully moves to suspend the proceedings in the above-captioned matter for an additional three (3) months.

As grounds for the suspension, as indicated in the Consented Motion To Suspend Proceedings filed on June 5, 2002, the parties were engaged in redrafting a settlement proposal based upon a new understanding as to the major terms of such agreement. In July 2002 Applicant's counsel indicated difficulty in contacting his client due to Applicant's extensive travels and that, based upon upcoming commitments by the Applicant, efforts were being made to redraft an agreement for Opposer's review by the end of July. In August 2002 Opposer's attorney understood from Applicant's counsel that the redrafted agreement had been substantially prepared but that Applicant had left the U.S. and that a finalized draft would be forthcoming upon the Applicant's return to the U.S. to meet with counsel.

However, in October 2002, Applicant's counsel indicated that Applicant's file might be transferred to different counsel.

The past record shows that Opposer's counsel was served on July 12, 2000, a Change of Correspondence Address document indicating that correspondence was to be directed to William H. Murray, Duane, Morris & Heckscher, LLP, One Liberty Place, Philadelphia, PA 19103-7396, said document having been signed by Anthony Colesanti for the same firm. On November 26, 2001, the TARR database identified the correspondent as "Mathew J. Cohen (attorney of record), Anthony Colesanti, Duane, Morris & Heckscher, LLP, One Liberty Place, Philadelphia, PA 19103-7396." Opposer's counsel's contact with Duane, Morris & Heckscher, LLP, was in fact with Mr. Colesanti. In March 2002, Mr. Robert Rosenthal began to serve as the primary contact person at Duane, Morris & Heckscher, LLP, in this matter, and Opposer's counsel understood that Mr. Colesanti was no longer associated with Duane, Morris & Heckscher, LLP. At about that same time, Opposer's counsel also learned that Duane, Morris & Heckscher, LLP, had changed its name to Duane Morris LLP, as indicated in the Stipulated Motion to Extend Discovery and Testimony Periods signed by Mr. Rosenthal on March 27, 2002.

Opposer's counsel sent correspondence dated December 4, 2002, to Applicant's counsel of record inquiring as to Applicant's status of representation and requesting contact information, if available or changed; Opposer's counsel left a telephone message with Duane Morris LLC, specifically Robert Rosenthal's office assistant, on January 15, 2003 regarding the status of any change in legal representation. Opposer's counsel has received no response.

On January 16, 2003, Opposer's counsel determined that the TARR database showed the correspondent for the opposed Application has changed to Anthony Colesanti, Colesanti &

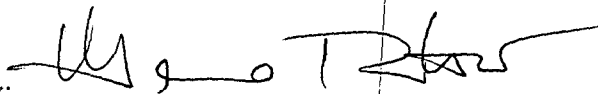
Associates LLC, 117 North 15th Street, Suite 1505, Philadelphia, PA 19102. However, to date, and after a diligent search of Opposer's file, Opposer's counsel is unaware of being served with any documents indicating the change of attorney of record in this matter.

To the extent that Opposer has no indication that the status of Applicant's position has changed with respect to finalizing the agreement, and furthermore, to the extent that the record regarding representation of Applicant is unclear to Opposer's counsel, a further suspension to resume negotiations is requested.

The request is made in good faith and not for mere delay.

For the reasons set forth above, Opposer respectfully requests that the Board grant the requested suspension.

Respectfully submitted,

By: 

Neil F. Greenblum - Reg. No. 28,394
Hanno Rittner
Greenblum & Bernstein, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
Attorneys for Opposer

Dated: January 17, 2003

CERTIFICATE OF SERVICE

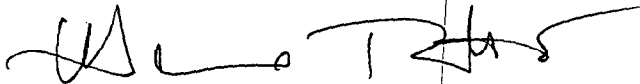
The undersigned hereby certifies that the that the foregoing *Motion for Suspension of the Proceedings* is being served by U.S. first-class mail, postage prepaid, upon the following:

Robert Rosenthal, Esq.
Duane Morris LLP
One Liberty Place
Philadelphia, PA 19103-7396

and

Anthony Colesanti
Colesanti & Associates LLLC
117 North 15th Street
Suite 1505
Philadelphia, PA 19102

this 17th day of January, 2003.

A handwritten signature in black ink, appearing to read 'Hanno Rittner', written over a horizontal line.

Hanno Rittner

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